

REMARKS

Upon entry of this amendment, claims 1, 3, 4, 6, 8-17, 19-26, and 28-42 will be pending. Claims 5, 7, 18, and 27 have been canceled. Claims 1, 3, 4, 6, 8-17, 19-26, and 28-39 have been amended. Claims 40-42 have been added as computer readable medium claims corresponding to claim 1, 3 and 4. No new matter has been added; at least paragraphs 0036-0038 of the specification as originally filed (which correspond to paragraphs 0033-0035 of the application as published in U.S. Patent Application Publication No. 2003/0149882) provide support for the claim amendments. Claims 1, 6, 13, 19, 22, 26, 33, 38, and 40 are the independent claims.

Claims 1, 3-5, and 22-25 stand rejected under 35 U.S.C. § 102(e) as allegedly being anticipated by U.S. Patent No. 6,230,272 to Lockhart *et al.* (“Lockhart”). Claims 6-10, 13-15, 18-21, 26-30, and 33-39 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over the teachings of Lockhart in view of U.S. Patent No. 6,035,398 to Bjorn *et al.* (“Bjorn”). Claims 11, 12, 16, 17, 31-32, and 35-38 stand rejected under 35 U.S.C. § 103(a) as allegedly being obvious over the teachings of Lockhart, in view of Bjorn, in further view of U.S. Patent No. 6,311,272 to Gressel *et al.* (“Gressel”).

Applicant again appreciates the courtesies extended to Applicant’s representative during the February 21, 2007 telephone interview. During that interview, the Examiner and Applicant’s representative (Michael P. Dunnam, Registration No. 32,611) discussed clarifying claim amendments (*Amendment/Response* filed March 2, 2007 – p. 10).

Applicant filed a reply pursuant to 37 CFR § 1.111 amending the claims. In the subsequent Office Action dated May 15, 2007, the Examiner did not disagree that agreement was reached; however, the Examiner states that the wording of the amendment as previously filed did not fully differentiate the claims from the cited prior art (*Office Action dated May 15, 2007* – p. 2).

Accordingly, claims 1, 3, 4, 6, 8-17, 19-26, and 28-39 have been amended for clarity and to capture the subject matter identified by the examiner during the interview as possibly being allowable over the prior art. For example, independent claim 1 recites that the “the key data is encoded with each of said several different password data to provide different encoded key data for each user authorization process such that a combination of one of said user

authorization processes and a respective password data of the several different password data allows for retrieval and decoding of the key data, and wherein the key data is for performing at least one of encrypting and decrypting the stored data on the computer system” Similar amendments have been made in the other independent claims as well. New independent claim 40 recites this subject matter as well. Applicant submits that the claims patentably define over the cited prior art.

In contrast, Lockhart does not teach using different password data to encode the *same key data* to support multiple authorization processes. Rather, Lockhart explicitly describes using *different* multipurpose strings as separate passwords to protect different data for different users. Thus, an individual user, in Lockhart, may use different multipurpose strings to protect *different* software applications (Lockhart, c. 5, ll. 26-28 stating that “[a]s indicated in block 44, the process is complete unless a user wishes to use a *different* data string for another software application that is used on the computer 12a.” emphasis added), but Lockhart does not teach or suggest the key data is encoded with each of said several different password data to provide *different encoded key data for each user authorization process* such that a combination of one of said *user authorization processes and a respective password data* of the several different password data allows for retrieval and decoding of *the key data*, and wherein *the key data* is for performing at least one of *encrypting and decrypting the stored data* on the computer system as recited in claimed 1.

The Examiner states that the data being protected by the multipurpose string in Lockhart could be *any* data. Furthermore, the Examiner goes beyond the reference, asserting that because Lockhart states the protected data *could be* any data that Lockhart teaches it *is* the *same data* (Office Action dated May 15, 2007 – p. 3). However, this is not supported by the reference. Nowhere does Lockhart implicitly or explicitly teach or suggest the key data is encoded with each of said several different password data to provide *different encoded key data for each user authorization process* such that a combination of one of said *user authorization processes and a respective password data* of the several different password data *allows for retrieval and decoding of the key data*, and wherein the key data is for performing at least one of *encrypting and decrypting the stored data* on the computer system, as recited in claim 1.

DOCKET NO.: **PH-0072
Application No.: 10/067,403
Office Action Dated: May 15, 2007

PATENT
REPLY FILED UNDER EXPEDITED
PROCEDURE PURSUANT TO
37 CFR § 1.116

Moreover, the Examiner argues that Lockhart describes a system that supports multiple users and that the protected data could be shared among users. To the contrary, Lockhart discloses that the data protected by a particular user's multipurpose string is the *user's data*, and not the *same data* shared with other users (See Lockhart, c. 6, ll. 55-60, stating that the "decrypted private keys are stored in *a user profile*").

Given that neither Bjorn nor Gressel provides teachings that address the above-mentioned shortcomings of Lockhart, all of the claims are believed to be allowable over any proposed combination of the teachings of Bjorn, Gressel, and Lockhart for the same reasons as given above. Accordingly, Applicant respectfully requests withdrawal of the all rejections to claims 1, 3, 4, 6, 8-17, 19-26, and 28-39 and allowance of these claims as well as new claims 40-42.

In view of the above remarks and amendments that more clearly recite the claimed subject matter, Applicant respectfully submits that the present application is in condition for allowance. Reconsideration of the application and an early Notice of Allowance are respectfully requested.

Date: October 16, 2007

/Michael A. Koptiw/
Michael A. Koptiw
Registration No. 57,900

Woodcock Washburn LLP
Cira Centre
2929 Arch Street, 12th Floor
Philadelphia, PA 19104-2891
Telephone: (215) 568-3100
Facsimile: (215) 568-3439